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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT TACOMA

8 STEVEN R. BELITZ,

9 Petitioner,

10 v.

11 STATE OF WASHINGTON,

12 Respondent.
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CASE NO. C15-5432 BHS

ORDER DENYING
PETITIONER'S MOTION TO
TRANSFER

14 This matter comes before the Court on Petitioner Steven Belitz's ("Belitz") motion
15 to transfer second habeas petition to Ninth Circuit (Dkt. 10).

16 On September 29, 2015, the Court dismissed Belitz's petition for lack of
17 jurisdiction over a second or successive petition. Dkt. 8. On November 16, 2015, Belitz
18 filed the instant motion requesting the Court transfer his entire file to the Ninth Circuit
19 because he accidentally filed his second or successive petition in this Court. Dkt. 10.
20 Because the Court dismissed the petition for lack of jurisdiction, the Court has no power
21 to transfer the file. This conclusion, however, does not prevent Belitz from filing a
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1 request directly with the Ninth Circuit to file a second or successive petition. Therefore,
2 the Court **DENIES** Belitz's motion to transfer.

3 **IT IS SO ORDERED.**

4 Dated this 23rd day of November, 2015.

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7 BENJAMIN H. SETTLE
8 United States District Judge
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